

F-5

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Jerome Gilby

COMPLAINT

(Enter above the full name of the plaintiff in this action)

v.

Hertz Vehicles LLC.

Civil Action No. \_\_\_\_\_

CRAIG Alford

(To be supplied by the Clerk of the Court)

Nicole Robinson

(Enter the full name of the defendant or defendants in this action)

INSTRUCTIONS; READ CAREFULLY

1. This complaint must be legibly handwritten or typewritten, signed by the plaintiff and subscribed to under penalty of perjury as being true and correct. All questions must be answered concisely in the proper space on the form. Where more space is needed to answer any question, attach a separate sheet.
2. In accordance with Rule 8 of the Federal Rules of Civil Procedure, the complaint should contain (1) a short and plain statement of the grounds upon which the court's jurisdiction depends, (2) a short plain statement of the claim showing that you are entitled to relief, and (3) a demand for judgment for the relief which you seek.
3. You must provide the full name of each defendant or defendants and where they can be found.
4. You must send the original and one copy of the complaint to the Clerk of the District Court. You must also send one additional copy of the complaint for each defendant to the Clerk. Do not send the complaint directly to the defendants.
5. Upon receipt of a fee of \$400.00 (a filing fee of \$350.00, and an administrative fee of \$50.00), your complaint will be filed. You will be responsible for service of a separate summons and copy of the complaint on each defendant. See Rule 4, Federal Rule of Civil Procedure.

6. If you cannot prepay the \$400.00 fee, you may request permission to proceed in forma pauperis in accordance with the procedures set forth in the application to proceed in forma pauperis. See 28 U.S.C. §1915. (If there is more than one plaintiff, each plaintiff must separately request permission to proceed in forma pauperis.)

7. If you are given permission to proceed in forma pauperis, the \$50.00 Administrative Fee will not be assessed. The Clerk will prepare and issue a copy of the summons for each defendant. The copies of summonses and the copies of the complaint which you have submitted will be forwarded by the Clerk to the United States Marshal, who is responsible for service. The Marshal has USM-285 forms you must complete so that the Marshal can locate and serve each defendant. If the forms are sent to you, you must complete them in full and return the forms to the Marshal.

QUESTIONS TO BE ANSWERED

1a. Jurisdiction is asserted pursuant to (CHECK ONE)

42 U.S.C. §1983 (applies to state prisoners)  
 Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971) and 28 U.S.C. § 1331 (applies to federal prisoners)

If you want to assert jurisdiction under different or additional statutes, list these below:

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1b. Indicate whether you are a prisoner or other confined person as follows:

Pretrial detainee  
 Civilly-committed detainee  
 Immigration detainee  
 Convicted and sentenced state prisoner  
 Convicted and sentenced federal prisoner  
 Other: (please explain) \_\_\_\_\_

2. Previously Dismissed Federal Civil Actions or Appeals

If you are proceeding in forma pauperis, list each civil action or appeal you have brought in a federal court while you were incarcerated or detained in any facility, that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted. Please note that a prisoner who has on three or more prior occasions, while detained in any facility, brought an action or appeal in a federal court that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted, will be denied in forma pauperis status unless that prisoner is under imminent danger of serious physical injury. See 28 U.S.C. § 1915(g).

a. Parties to previous lawsuit:

Plaintiff(s): \_\_\_\_\_

\_\_\_\_\_

Defendant(s): \_\_\_\_\_

\_\_\_\_\_

b. Court and docket number: \_\_\_\_\_

c. Grounds for dismissal:  frivolous  malicious

failure to state a claim upon which relief  
may be granted

d. Approximate date of filing lawsuit: \_\_\_\_\_

e. Approximate date of disposition: \_\_\_\_\_

If there is more than one civil action or appeal, describe the additional civil actions or appeals using this same format on separate sheets.

3. Place of Present Confinement? \_\_\_\_\_

4. Parties

(In item (a) below, place your name in the first blank and place your present address in the second blank. Do the same for additional Plaintiffs, if any.)

a. Name of plaintiff: Jerome Gilby \_\_\_\_\_

Address: 215 S. Burlington Rd Bridgeton NJ. 08302

Inmate#: 377357C

b. First defendant:

Name: Hertz Vehicles LLC

Official position: Rental Car

Place of employment: 450 McClellan Hwy Boston MA, 02128

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

Hertz Vehicle was use to cause Bodily harm and injury to me . An Unlicense Driver was Driving the Vehicle and rented to Another person

c. Second defendant:

Name: Nicole Robinson

Official position: CAR renter

Place of employment: N/A

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

Ms Robinson Rented the vehicle used to hit me in the Accident.

d. If there are more than two defendants, attach a separate sheet. For each defendant specify: (1) name, (2) official position, (3) place of employment, and (4) involvement of the defendant.

NAME: CRAIG Alford

Official position: Driver of Vehicle

Place of employment: 14 tyrell Ave , Trenton NJ. 08638

How this person involved in the case:

Mr Alford was the person who hit me with the vehicle and caused serious Bodily Harm and injury to mr Gilby.

5. I previously have sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in the Statement of Claims on page 6.

Yes       No

If your answer is "Yes," briefly describe the steps taken, including how relief was sought, from whom you sought relief, and the results.

I reached out to lawyers to no avail because of the corona covid 19 situation and me being incarcerated.

If your answer is "No," briefly explain why administrative remedies were not exhausted.

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6. Statement of Claims

(State here as briefly as possible the facts of your case. Describe how each defendant violated your rights, giving dates and places. If you do not specify how each defendant violated your rights and the date(s) and place of the violations, your complaint may be dismissed. Include also the names of other persons who are involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach a separate sheet if necessary.)

on 5-15-19 Mr Alford Knowingly And willingly ran me over with a rental car under ms Robinson name. Mr Alford had no license and purposely hit me with his rented Hertz vehicle. Causing me serouse injurys And mental depression. I was flown to Hospital And underwent major surgery. Ms Robinson Knowingly And willingly let Mr Alford Drive the

Hertz Rental CAR with out A license. Mr Alford And Ms Robinson were in the Vehicle when it Hit me And then Ms Robinson left the scene of the CRIME Accident before the police officers Arrived. I was A pedestrian walking down the road when Mr Alford decided to hit me with his Vehicle And crashed. there are TICKET # LMC-D66900 Cart code 1513 Mr Alford received tickets and released. he admitted to crashing into my persons with his vehicle A 2018 Toyota grey car. plate# BXR895 state MA exp. Date 5/20 Agency / officer ID # 1513 / 0314

7. Relief

(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

Plaintiff Requests All medical Bill paid in full past And future to come, \$ 150,000.00 from Hertz LLC , \$ 100,000.00 from Ms Robinson And or insurance, \$ 100,000.00 from Mr Alford for causing the Bodily Life changing injury I accrued.

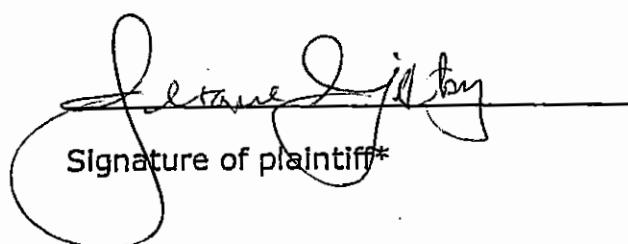
No retaliation from either Ms Robinson or Mr Alford.  
A restraining order for life Against Mr Alford for my  
safety and family safety.  
All fees to lawyers and or court cost and filing  
fees to PAB.

8. Do you request a jury or non-jury trial? (Check only one)

Jury Trial  Non-Jury Trial

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 1 day of June, 2021

  
Signature of plaintiff\*

(\*EACH PLAINTIFF NAMED IN THE COMPLAINT MUST SIGN THE COMPLAINT HERE. ADD ADDITIONAL LINES IF THERE IS MORE THAN ONE PLAINTIFF. REMEMBER, EACH PLAINTIFF MUST SIGN THE COMPLAINT).